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2 WALTER F. BROWN (SBN 130248)
3 MELINDA HAAG (SBN 132612)
4 RANDALL S. LUSKEY (SBN 240915)
5 STEPHEN A. CAZARES (SBN 201864)

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FEB 07 2020

Susan Y. Soong
Clerk, U.S. District Court
Northern District of California
San Jose

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11 Attorneys for Defendant
12 RAMESH "SUNNY" BALWANI

ECF Dkt. No.326

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 HOLMES, et al.,
20 Defendants.

Case No. 18-CR-00258-EJD

SUPPLEMENTAL DECLARATION OF
JEFFREY B. COOPERSMITH IN
SUPPORT OF DEFENDANT RAMESH
"SUNNY" BALWANI'S REPLY IN
SUPPORT OF MOTION TO SEVER

Judge: Honorable Edward J. Davila

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23 **PROVISIONALLY FILED UNDER SEAL**
24 **PURSUANT TO COURT ORDER OF**
25 **JANUARY 13, 2020**
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1 **DECLARATION OF JEFFREY B. COOPERSMITH**

2 I, Jeffrey B. Coopersmith, declare as follows:

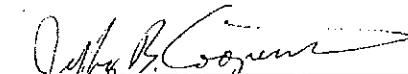
3 1. I am lead counsel for defendant Ramesh "Sunny" Balwani in this case, an attorney
4 admitted to practice in the State of California, and a partner at Orrick, Herrington & Sutcliffe LLP,
5 counsel of record for Mr. Balwani. I submit this declaration in support of Mr. Balwani's reply
6 memorandum in support of Motion to Sever and Administrative Motion to Seal. I have personal
7 knowledge of the facts stated herein, and I could and would testify competently to those facts if
8 called as a witness.

9 2. Acting under my direction, members of Orrick, Herrington & Sutcliffe's research
10 department searched U.S. news outlets and major wire services for stories since December 3, 2019,
11 mentioning the fraud allegations against Mr. Balwani and Ms. Holmes. The search returned more
12 than a dozen stories, plus dozens of blog posts and stories in international publications.

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14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed February 7, 2020 at Seattle, Washington.

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17 Dated: February 7, 2020



JEFFREY B. COOPERSMITH

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